

..Title

AN ORDINANCE directing the submission to the qualified voters of King County of a proposition authorizing an additional sales and use tax of one tenth of one percent for the operation, maintenance and capital needs of the King County Metro public transportation system; and adding a new chapter to K.C.C. Title 4.

..Body

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. **Findings.** The council makes the following findings:

A. King County is a home rule charter county with broad powers to provide public transportation within the county's geographic boundaries. Under this authority, RCW 36.56, RCW 35.58 and other provisions of law, the county owns and operates an extensive system of buses, vanpools, accessible services vehicles, park-and-ride lots, transit centers, transit hubs and other transportation facilities within the county.

B. The county's public transportation services and facilities provide mobility to residents, workers and visitors, carrying over three hundred fifty thousand weekday riders. These services and facilities, although not adequate to meet current transit demand, are essential to the functioning of key transportation corridors in the region. Without these services, traffic conditions, already estimated to be among the nation's worst, would further deteriorate.

C. After the Washington State legislature repeal of the Motor Vehicle Excise Tax in 2000, King County voters responded by approving an additional two-tenths sales tax

for use by Metro, which eliminated the need for drastic transit service reductions.

However, the recession following the 9/11 terrorist attacks reduced sales tax revenues and restricted Metro's ability to continue to grow the transit system to keep up with demand. Current total revenues into the Public Transportation Fund are approximately ten percent below where they would have been if the motor vehicle excise tax had not been repealed.

D. With current revenues, Metro has not been able to add the necessary services to keep up with significantly increasing ridership demand caused by growth in population and employment, and shift away from automobiles to transit caused by the increasing cost of fuel. For the county to achieve land use and environmental goals consistent with employment and household growth targets, Metro transit needs to carry a growing proportion of trips to support the county's mobility, economy and quality of life.

E. In accordance with RCW 82.14.045 and by approval of the qualified electorate, the county is currently imposing a retail sales and use tax of eight-tenths of one percent for the operation, maintenance and capital needs of its public transportation system. One-tenth of one percent latent authority is available under RCW 82.14.045 for public transportation system purposes, subject to voter approval.

F. Imposing an additional sales and use tax of one-tenth of one percent in the county will allow Metro transit to improve public transportation services and facilities as described in the document Improvements Funded by *Transit Now* and attract additional riders to the public transportation system.

G. To fund the county's public transportation system needs, a proposition should be submitted to the voters requesting authorization to fix and impose an additional sales

and use tax of one-tenth of one percent for the operation, maintenance and capital needs of the King County Metro transit system.

SECTION 2. Sections 3 to 5 of this ordinance should constitute a new chapter in K.C.C. Title 4.

NEW SECTION. SECTION 3. Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- A. "County" means King County, Washington.
- B. "Council" means the metropolitan King County Council.
- C. "Tax proceeds" means the principal amount of funds raised by the additional sales and use tax authorized by this chapter and any interest earnings on the funds.

NEW SECTION. SECTION 4. Authorization of additional sales and use tax. For the purpose of providing funding for the operation, maintenance and capital needs of public transportation, the council hereby directs the submission of a proposition to the voters of the county substantially as set forth in section 6 of this ordinance to authorize the county to fix and impose pursuant to RCW 82.14.045 an additional sales and use tax of one-tenth of one percent. This additional sales and use tax shall be in addition to other existing sales and use taxes, including the eight-tenths of one percent public transportation sales and use tax currently imposed by the county. The additional sales and use tax shall be levied at such rate and collected as of a date as may be determined by the council. In addition, if, as a result of the adoption of this proposition by the voters of the county, the county imposes an additional sales and use tax upon sales of lodging in excess of the limits contained in RCW 82.14.410, such sales shall be exempt from the imposition of that additional sales and use tax.

NEW SECTION. SECTION 5. Use of tax proceeds. The tax proceeds from the tax imposed under section 4 of this ordinance shall be used for the operation, maintenance and capital needs of King County Metro public transportation as allowed by law.

SECTION 6. Call for election. Pursuant to RCW 29A.04.321, it is hereby found that the proposition, substantially as hereinafter set forth, be submitted to the qualified electors of the county at a county special election to be held in conjunction with the general election on November 7, 2006. The manager of records and elections of King County is hereby requested to assume jurisdiction of and to call and conduct such election to be held within the county on said date and to submit to the qualified voters of the county at such election said proposition.

The clerk of the council is hereby authorized and directed to certify said proposition to the manager of records and elections in substantially the following form:

The Metropolitan King County Council has passed Ordinance No ._____ concerning this public transportation system sales and use tax proposition. This proposition would authorize King County to fix and impose an additional sales and use tax of one-tenth of one percent in order to fund expansion of service, operations, maintenance, and capital needs of King County Metro public transportation, including, but not limited to, expanded bus service, accessible services, vanpool programs, passenger facilities, park and ride facilities, and other congestion relief projects to preserve and enhance Metro Transit services as provided in Ordinance No ._____.

Should this proposition be enacted into law:

Approved

Rejected

SECTION 7. Ratification. Certification of the proposition by the clerk of the council to the manager of records and elections of King County in accordance with law before the election on November 7, 2006, and any other act consistent with the authority and before the effective date of this ordinance are hereby ratified and confirmed.

SECTION 8. Authority supplemental. The authority granted in this ordinance is supplemental to all other powers of the county and nothing in this ordinance shall be construed as limiting or restricting any powers or authority conferred upon the county by law.

SECTION 9. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

Attachments: None